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APR 27 2018 JAB

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

KATHERINE HARRIS,

Plaintiff,

v.

Case No. 5:18-cv-186

STATE OF NORTH CAROLINA;
ROY COOPER in his official capacity as
Governor of North Carolina;

NORTH CAROLINA DEPARTMENT
OF PUBLIC INSTRUCTION,

MARK JOHNSON, in his Official capacity as
Superintendent,

CHERYL AUGER in her Official Capacity as
Executive Director of Human Resources of
Cabarrus County Schools, and in her
Individual Capacity

GARY AUSTIN, in his Official Capacity as
special assistant to NC Treasurer, and in his
Individual Capacity,

BARRY SHEPHERD, in his Official Capacity
as Superintendent of Cabarrus County Schools,
and in his Individual Capacity

42 U.S.C. 1983

§ 42 U.S.C. 1983

COMPLAINT

Section 1983 of Title 42 of the United States Code.

1. The above named defendants erred in denying Plaintiff the rights and privileges secured by the Fourteenth Amendment of the United States Constitution, as enumerated in Section 1983 of Title 42 of the United States Code.

This conduct was performed under color of law.

2. All named defendants have, to the best of my knowledge, waived their immunity from tort liability pursuant to statutory authority.

Events leading to Violations

3. In 1992, Plaintiff was given a contract to perform as a teacher in the North Carolina School System, and was enrolled in the North Carolina Teachers' and State

Employees' Retirement System. Over the span of more than two decades, Plaintiff taught in various schools. During that time, she regularly contributed to her account with the above named system. At no time did the Plaintiff have a "Break in Service". At no time did Plaintiff withdraw her funds from the system.

In 2007, Plaintiff was working under contract as a permanent teacher. As a result of severe permanent injuries suffered in an automobile accident, Plaintiff became disabled.

Benefits Denied / Employment terminated

With reckless indifference to Plaintiff's Federally protected rights, the Defendants, through to actions of various members the their staffs, denied employment, income protection, and health insurance to Plaintiff.

Health benefits were restored, but there was never an explanation for the initial denial. Defendants continue to deny all other benefits, forcing Plaintiff to engage in this legal action.

Any further attempts at communication and/or resolution would be futile.

Despite every attempt on the part of the Plaintiff to meet with the officials

responsible for these egregious and illegal actions, the Plaintiff has been denied access to them.

Federal Statutes violated:

The Family and Medical Leave Act,

The Americans with Disabilities Act,

The Rehabilitation Act of 1973

The Civil Rights Act of 1964,

Health Insurance Portability and Accountability Act

Plaintiff thereby pleads for the restoration of her benefits, and compensatory and punitive damages in the amount that the court deems proper.

SEAL Kath Harris DATE 4/25/2018
Katherine Harris

kkwesell@gmail.com